

APPROVED MINUTES
PUBLIC ARTS COMMITTEE
CITY OF MILPITAS

Minutes: Meeting of the Public Art Committee (PAC)
Date of Meeting: Monday, February 25, 2008
Place of Meeting: Milpitas City Hall, Committee Meeting Room, 455 E. Calaveras Blvd.

I. Call to Order **In lieu of a Chair and Vice** Chairperson , Ms. Whitecar convened the Meeting at 6:06 p.m.

II. Pledge of Allegiance Chairperson Foulk led the Committee in the Pledge of Allegiance.

III. Roll Call Committee Members Present: Butler, Ettinger, Foulk, Hays, McGuire, Moss, Rabe, Voellger

Committee Member Excused Absence: Navarro, Tsuei
Committee Member Absent: Cherry

City Staff Present: Economic Development Manager, Diana Whitecar, Public Services Assistant, Tirzah Cedillo

City Council Liaison Present: Council Member Giordano

IV. Seating of Alternates None.

V. Approval of Agenda **MOTION** to approve the agenda dated February 25, 2008.
M/S: Rabe/McGuire Ayes: Unanimous

VI. Approval of Minutes **MOTION** to approve the amended minutes of January 28, 2008 as amended.
M/S: Voellger/Hays Ayes: 7-1-0 (Ettinger Abstained)

VII. Public Forum None.

VIII. Announcements/Correspondence

Committee Member Rabe introduced the artist Mr. Yeh Fei Pai whose are was display as part of the Phantom Art Gallery. Mr. Pai spoke about the 'chi' in his artwork and the joy that it brings him. Chairperson Foulk stated on behalf of the Public Art Committee that they were honored and impressed that he came to introduce himself and his work.

Ms. Whitecar reminded the Public Art Committee that they are required to submit their annual Form 700 'Statement of Economic Interests by April 1st'. She distributed the Form 700 and gave two other options of getting the form by either downloading (<http://www.fppc.ca.gov/forms/700-07/Form700-07-08.pdf>) the form or going to the City Clerks Department for a copy.

Ms. Whitecar announced the Commissioners' Celebration Brunch 2008. The event would be held on Saturday, April 19, 2008 at 11am. All committee members would be receiving formal invitations. Committee Member Hays and Foulk stated she would not be attending the event.

IX. Old Business

1. Election of Officers

Per the Public Art Committee Bylaws, at the first regular meeting of a new calendar year, the Committee shall select a Chairperson and Vice-Chairperson

from the appointed Committee members. The Chairperson and the Vice-Chairperson shall serve for one-year terms while on the Committee, unless extended to a second one-year term by majority vote of the Committee. No Chairperson or Vice-Chairperson shall serve more than two consecutive one-year terms.

Ms. Whitecar opened the floor for nominations for Chairperson of the Public Art Committee for a one-year term.

MOTION to seat Chairperson Foulk as Chairperson of the Public Art Committee.

M/S: Voellger/Butler Ayes: All

Ms. Whitecar opened the floor for nominations for Vice-Chairperson of the Public Art Committee for a one-year term.

MOTION to seat Committee Member McGuire as Vice-Chairperson of the Public Art Committee.

M/S: Butler/Moss Ayes: All

2. Cookbook Update

The Public Art Committee members have requested staff to report cookbook updates at each PAC meeting. Ms. Whitecar reported nearly (96) books have been sold out of the (500) book ordered, collecting nearly \$1,300 and \$107 in sales tax. Chairperson Foulk asked what was the original cookbook cost and what's our profit margin. Ms. Whitecar responded the publisher cost was \$5 and she would have to research the profit margin and return at the next meeting with the answer.

Note. Receipt. File.

3. Public Art Committee Bylaws and Procedures Manual

The Public Art Committee members have requested to table this agenda item to the March 24, 2008 meeting.

Note. Receipt. File.

4. Art in the Park

Committee Member Cherry requested at the January 28, 2008 meeting to add this discussion item, Art in the Park, and have the Milpitas Alliance for the Arts participate on the topic.

Committee Member Voellger stated on behalf of the Milpitas Alliance for the Arts they would like to proceed with the Art in the Park project at Pinewood Park (Lonetree & Starlite Ct) which is not part of the Redevelopment Agency (RDA) funds. He has recommended that the Public Art Committee work with the Milpitas Alliance for the Arts to move forward with the Pinewood Park project. He stated in the past the Milpitas Alliance has done projects for \$20,000. Ms. Whitecar stated during the mid-fiscal year to have TOT (Transient Occupancy Tax) sales go toward PAC funding, and for PAC to work with the Milpitas Alliance to make a joint project. Council Member Giordano agrees. Committee Member Voellger stated the Milpitas Alliance for the Arts has completed Art in the Park projects at Augustine Memorial, Murphy, Starlite, Hillcrest Parks, and the 'Cartwheel Kids' sculpture. Committee Member Rabe stated her concerns that PAC would need legal expertise because PAC would be setting a precedent. She's asked what's the best way to incorporate the Art in the Park at Pinewood Park into the Work Plan. Chairperson Foulk responded to

adopt the Art in the Park project with wording that the Milpitas Alliance for the Arts would be a standing subcommittee. Committee Member Voellger added that the Milpitas Alliance would be proposing a one-time project. Committee Member Hays suggested asking the City Council since we cannot use the Redevelopment Agency funds and have Ms. Whitecar ask for monies so that in the future PAC could work with the Milpitas Alliance for the Arts. Committee Member Voellger asked how does PAC properly handle this situation. Ms. Whitecar stated City Council does not know that city parks cannot benefit from PAC funds. Committee Member Moss asked how many parks couldn't use PAC funds. Ms. Whitecar responded approximately half. Council Member Giordano suggested using TOT (Transient Occupancy Tax) monies since City Council has all ready completed mid-year appropriations, and go to the Finance Subcommittee.

MOTION to agree to a one-time partnership with the Milpitas Alliance for the Arts (MAFTA) at Pinewood Park (Lonetree & Starlite Ct), Art in the Park project.

M/S: Rabe/Voellger

Ayes: All

5. Art Sculpture for the DeVries Place Senior Housing Project

Mr. Felix Reliford, Housing & Neighborhood Preservation Manager presented to the Public Art Committee the artwork proposal by Mr. Aaron Van de Kerkchove a ten-foot tall corten-copper sculpture standing on a two-foot tall concrete base that would adorn the courtyard at the DeVries Place and would be visible from both Main Street and the Santa Clara County Medical Center.

Mr. Reliford stated the DeVries Place would provide (103) affordable senior housing apartments in a three-story building. The amenities at the DeVries Place would include a fitness center, home theater, (3) lounges, and (3) outdoor-screened porches. The apartment sizes would be: 1 studio – 470 sq. ft., 1 bedroom – 560 sq.ft., 2 bedrooms – 867 sq.ft.

Committee Member Rabe asked if the artwork would be placed on public property. Mr. Reliford responded no. Committee Member Rabe suggested that Mr. Reliford and Mr. Sean Thornton, Project Manager take this item to the Senior Advisory Committee. Chairperson Foulk stated since PAC would not be maintaining or paying for the artwork, this item would simply be to notify PAC of the project.

MOTION to approve and thank the project developer for the gift of art at the DeVries Place Senior Center free of charge.

M/S: Rabe/Hays

Ayes: All

6. Subcommittee Update on 2008 Tea in the Trees Event

The Public Art Committee members have requested to table this agenda item to the March 24, 2008 meeting.

Ms. Whitecar stated the Tea in the Trees Subcommittee to notify her of when to set a subcommittee meeting date.

Note. Receipt. File.

7. Update on Moving the 'Cartwheel Kids' Sculpture

At the January 28, 2008 PAC meeting the committee approved moving the 'Cartwheel Kids' sculpture from in front of City Hall to the new Library site, in front of the old Grammar School. The request required City Council approval and the committee had asked for an update of the City Council actions.

The Library Project Manager estimate that the cost for the relocation of the 'Cartwheel Kids' sculpture to the new Library site would cost \$15,000 which would include the removal, transportation, any cleaning or repair before replacement, and restoration of the former location at City Hall. The cost estimate does not include any funds for engineering a new foundation, design costs, and artist fees.

Committee Member Rabe stated that PAC should move forward with City Council and let them make a decision. Committee Member Moss expressed concern with the cost that was given to move the sculpture. She stated she would be able to move the sculpture in her truck to prevent paying Group4 Architecture the \$5,000 to assist with moving of the sculpture. Committee Member Hays advised to not move the sculpture until after the new Library construction was completed. Ms. Whitecar added the \$5,000 was an estimate given to have the landscape architect make the revisions to the site improvements. She reminded the Committee that both City Council and the Library Subcommittee stated to not delay or add costs to the Library project. The fees are legitimate, but she doesn't know the details. The total cost of the 'Cartwheel Kids' artwork and installation at City Hall in 2004 was \$22,873, of which \$10,373 was for installation. Ms. Whitecar continued to state she would write the recommendation to City Council, but staff cannot support this action to do this work while the Library is under construction. Ms. Whitecar advised PAC to not move the sculpture until after the new Library is open when the costs would be cheaper. Committee Member Rabe stated that City Council would move forward with PAC's requests to move the 'Cartwheel Kids' sculpture, and then to immediately work on replacing the sculpture in front of City Hall. Council Member Giordano suggested have the city move the sculpture in January 2009 before the Library opening. Committee Member Moss stated she would remove the rods so there wouldn't be any extra fees. Committee Member Butler stated to ask City Council now, and have Committee Member Moss as a consultant, and deal with costs when it's appropriate. Ms. Whitecar stated the installation cost in 2004 was \$10,375, now it would be approximately \$15,000.

MOTION to recommend to City Council in January 2009 based on the fact the city would be done with the Library construction, and would be able to move the 'Cartwheel Kids' sculpture at a in-house reduced cost with Ms. Carla Moss, artist as the consultant.

M/S: Rabe/McGuire

Ayes: Butler, Foulk, McGuire,
Moss, Rabe

Nays: Ettinger, Hays, Voellger

8. Milpitas BART Station Glass Artist Approved Recommendation

Mr. Jack Mackie and Ms. Gail Collins of VTA presented to the Public Art Committee at the January 28, 2008 meeting the recommended glass artist named Ms. BJ Katz. The committee agreed to recommend Ms. Katz to City Council for final approval, but did not make a Motion.

MOTION to recommend to City Council the BART Station Glass Artist named Ms. BJ Katz.

M/S: Voellger/Moss

Ayes: All

X. Adjournment

MOTION to adjourn the meeting at 7:17 p.m. to the scheduled meeting on March 24 2008.

Respectfully Submitted, Tirzah Cedillo, Public Services Assistant